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September 14, 2022

Via ECF

Honorable Naomi Reice Buchwald
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Cequel Communications, LLC v. MOX Networks, LLC*, No. 21-CV-5577

Dear Judge Buchwald:

We represent Plaintiff Cequel Communications, LLC (“Cequel”) in the above-referenced matter. We write to respectfully request a limited extension of time to complete fact discovery. Specifically, we request leave from the Court to produce Cequel witness Herbert Boyd, whom Defendant MOX Networks, LLC (“MOX”) noticed for a fact deposition, after the September 15, 2022 fact discovery deadline on a date agreed upon by the parties due to a medical emergency.

On June 24, 2022, the Court set the current fact discovery deadline of September 15, 2022. Since then, the parties have worked diligently and collaboratively to meet this deadline. Yesterday, Cequel learned that Mr. Boyd, whose deposition was scheduled for September 15, 2022, was hospitalized for health complications related to a condition that developed last month. Cequel immediately notified MOX of the circumstances and its intention to make this request for leave from the Court. Defendant consents to this request.

This request is limited to Mr. Boyd’s deposition and does not otherwise affect the parties’ ability to meet the fact discovery deadline in this matter.

Respectfully submitted,

WALDEN MACHT & HARAN LLP

FORCHELLI DEEGAN TERRANA LLP

By: /s/ Avni Patel

By: /s/ David Loglisci

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cc: All parties, via ECF